

PUBLIC ACCOUNTS COMMITTEE
(1975-76)

TWENTY-FIFTH REPORT

(Part II of 19th Report)

(FIFTH ASSEMBLY)

**Report of the Public Accounts Committee on the
Report of the Comptroller and Auditor General
of India for the year 1969-70, Appropriation
Accounts, 1969-70 and Finance Accounts,
1969-70 of the Government of Assam
relating to Municipal Administration,
Registration and P.W.D.
(R & B) Departments.**



ASSEMBLY SECRETARIAT DISPUR

Presented to the House on.....

23 MAR 1977

COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE
(1975-76)

CHAIRMAN :

Shri Fromode Chandra Gogoi

MEMBERS :

Shri Romesh Mohan Kouli

Shri Subhankar Singha

Shri Chandra Bahadur Chetri

Shri Pushpadhar Chaliha

Shri Manabendra Nath Sarma

Shri Rajendra Nath Phookan

Shri Hashimuddin Ahmed

Shri Ambarish Chandra Lahari

SECRETARIAT

Shri P. D. Barua, Secretary.

Shri N. Deuri Bora, Under Secretary.

Shri Bimal Goswami, Committee Officer.

Reports of the Public Accounts Committee on the Report of the Comptroller and Auditor General of India for the year 1969-70, Appropriation Accounts, 1969-70 and Finance Accounts 1969-70 of the Government of Assam.

INTRODUCTION

1. Shri Promode Chandra Gogoi, Chairman, Public Account Committee having been authorised by the Committee to submit this Report on their behalf, present the twentyfifth Report (Part II of 19th Report) on the Report of the Comptroller and Auditor General of India for the year 1969-70 Appropriation Accounts, 1969-70 and Finance Accounts, 1969-70 of the Government of Assam relating to Municipal Administration, Registration and P. W. (R & B) Departments.

2. The Report and accounts were laid on the Table of the House on 4th November, 1971.

3. The present Committee which was constituted by the House under Rule 242 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly began to function from the 8th September 1975. The Reports and Accounts mentioned in paragraph 2 above were examined by the previous Committee at its meetings held on 19th and 20th May, 21st, 22nd and 23rd August, 9th October, 1972 and 22nd October and 28th December, 1973.

4. A list of officers examined and time taken for examination has been appended to this Report as Appendix I.

5. The paras of this Report were examined by the previous Committee agreed to present this Report as the previous Committee could not present this Report due to expiry of their term. The present Committee summarily approved the Report on 18th October, 1976.

6. A statement showing the Summary of the observations and recommendations together with the comments of the Committee is given in part II of the Report.

Dated Dispur :
The 18th October, 1976

P. C. GOGOI
Chairman,
Public Accounts Committee.

MUNICIPAL ADMINISTRATION DEPARTMENT

**Para 141 at pages 154-155 read with Appendix XII (Serial 10)-
Non-receipt of utilisation certificates for grants**

1.1. This paragraph indicates that 110 Nos. of utilisation certificates involving Rs. 2.87 lakhs in respect of grants-in-aid paid by the department upto 1969-70 were not furnished by the department to audit by the 31st August 1970.

Illustrative cases of receipt of utilisation certificates for part of the grants:—

1. Executive Officer: Karimganj Rs. 3,037.27 p. Municipality (1961-62) (out of Rs. 19,602) 1962-63 Rs. 1613.05 (out of Rs. 17,594.00)

2. Hojai Municipal Board 1965-66—Rs. 3,412.14 (out of Rs. 4,230.00)

1.2. Illustrative cases where grants continued to be sanctioned though utilisation certificates for earlier grants were wanting:—

1. Karimganj Municipal Board	1961-62	3,037.27
	1962-63	5,593.05
	1965-66	6,305.21
		5,508.00
2. Chairman, Gouripur	1966-67	400.99
	1967-68	1,112.64
	1968-69	

1.3. The Committee wanted to know the reasons for not being able to furnish the utilisation certificate in time to which the Departmental witness replied that utilisation certificates are furnished direct to the Accountant General by the District Officers.

RECOMMENDATION

1.4. The Committee is surprised to note that the Department is not well posted with the present position of the utilisation of the money sanctioned by the Department. Some of them are living outstanding since 1961.

1.5. The Committee therefore recommends that effective steps should be taken to ensure submission of all outstanding utilisation certificate to Audit. The Department should maintain proper record to check up the position of utilisation of grants by different organisation to which loans and grants had been sanctioned. The action taken by the Department should be intimated to the Committee within one month from the date of presentation of this Report to the House.

Para 140 at page 153 of the Report of the Comptroller and Auditor General of India for the year 1969-70- Acceptance of Balances.

2.1. The paragraph indicates that in 191 cases of loans sanctioned by Government to Municipalities and 55 cases of loans sanctioned to district and other local fund committees acceptance of balances from the loanecs were not received by audit by 31st August 1970.

2.2. Against many of these, Municipalities and district and local fund, payment of principal and interest is also not being made.

2.3. The Committee enquired whether the Department had taken any action in these cases; the Secretary of the Deptt. replied that he had requested all the Municipal bodies to send their acceptance etc. and also to pay the outstanding dues but no reply was received from some of the Municipalities. On a query as to which were those Municipalities from which acceptance was not yet been received: the Departmental witness replied that one of them is Golaghat Municipality which did not accept Accountant General's figure. Dhubri Municipality accepted the Accountant General's figure of principal. Hojai is not also accepting the figure. The Committee asked whether it is the usual practices of the Department concerned to bring the position of the loan and repayment etc. to the notice of the Finance Department the Departmental witness replied that Finance Department had been asking for return of collection. These returns are furnished to Finance Department from time to time as a routine nature.

RECOMMENDATION

2.4. The Committee recommends that the Department should make assessment about the financial position of all Municipalities and town Committees of the State so as to strengthen their paying capacity. The final position with regard to this matter may be reported to the Committee within three months from the date of presentation of this Report to the House.

Grant No.87 at pages 159-160 of the Appropriation Accounts, 1969-70- Loans and Advances etc. I Loans to Municipal Corporation and Municipalities.

3.1. The grant closed with a saving of Rs. 33.06 lakhs (provision original Rs. 52.20 lakhs, supplementary Rs. 8.22 lakhs, expenditure Rs. 27.36 lakhs). An amount of Rs. 33.42 lakhs was surrendered in March 1970.

3.2. The Committee wanted to know as to why the surrender was made in excess of the saving; the Departmental witness stated that this grant covers the the loans and advances granted by other Departments like Town and Country Planning etc.

RECOMMENDATION

3.3 The Committee recommends that the Department should assess the need of the Department more accurately well-ahead of the close of the Financial year in future.

REGISTRATION DEPARTMENT

Paragraphs 137-138 at pages 150-153 read with Appendices X and XI at pages 178-181 Outstanding audit objections and Inspection Reports

4.1. These paragraphs indicate that there are 122 outstanding audit objections amounting to Rs. 34,000 the oldest item dated as far back as 1962-63 and also the outstanding inspection reports numbering 18 and outstanding paragraphs numbering 53.

4.2. The Committee asked the Departmental witness as to what were the reasons for delay in settlement of outstanding objections and inspection reports and the steps taken for settlement. The Departmental witness stated that action was continuously being taken at the Headquarters as well as at local offices to dispose of the audit objections and the position had somewhat improved since the last report was published. The position as on 31st December 1970 was audit objections 82 pending with a total amount involving Rs. 22,418.67 and the number of audit note pending was 29, outstanding paragraphs 84.

4.3. Asked as to whether out of audit objections and audit notes issued upto 1969-70, there were 48 audit objections valuing Rs. 15.77 thousand, 12 inspection notes and 40 paras outstanding; the Secretary, Registration replied that he was pursuing these objections and he hoped that within 2/3 months, he shall be able to dispose of them.

4.4. On being questioned, as to what was the difficulty that these could not be made upto-date the Secretary of the Department expressed certain administrative difficulty to which the Committee asked the Department to furnish a note. The Department has since submitted the note which is appended to this Report as Appendix II at pages 34-35 of the Report.

There are 9 District Registrars and 3 Deputy Registrar (with head-quarter at Gauhati, Nowgong and Silchar).

4.5. The Deputy Registrars are entrusted with the functions of inspecting the Sub-Registry Offices and also helping the District Registrars in various administrative matters. There are 34 whole-time Sub-Registrars and 15 Commission Basis Sub-Registrars are not regular Govt. servants.

4.6. In the proposed service rules for Assam Registration service provision has been made to fill up atleast 50 percent of the vacancies in a year in the cadre of departmental Sub-Registrars from amongst the existing Commission Basis Sub-Registrars who are graduates having not less than 5 years of continuous service and not more than 35 years age. The draft service rule is being finalised soon.

4.7. Registering Officers are also the Registrars under the Special Marriage Act, 1954. Besides these, there are 37 Moslim Marriage Registrars in the State to administer the provisions contained in the Assam Divorces Registration Act 1935 and the Rules thereunder.

4.8. In the Registration Department Extra Writers are engaged like copyists attached to courts on piece rate system and they are not treated as regular Govt. servants. They are appointed to clear up copying and comparing of documents when presentation of documents becomes unusually heavy and the regular hands are unable to copy with the work. There are 256 Extra-writers under the Registration Department.

RECOMMENDATION

4.9. The Committee recommends that as the assessment of income-tax and valuation of properties are made on the basis of registered documents steps should be taken to make the registration up-to-date in all the Districts of the State so that Government may not lose its income due to under assessment.

4.10. The Department should move the Finance Department if necessary for reorganisation of the staff position to cope with the increased volume of work and the question of suitable amendments of service rules be taken up early.

Grant No. 7, at page 20 of the Appropriation Accounts 1969-70

5.1. The grant closed with an excess of Rs. 0.87 lakhs (expenditure: Rs. 7.83 lakhs; Provision: Rs. 7.01 lakhs), which requires regularisation.

5.2. The excess occurred mainly due to drawal of arrear ad-hoc dearness sanctioned allowances in January, 1970 and entertainment of additional writers in some districts.

RECOMMENDATION

5.3. The Committee recommends regularisation of the excess expenditure.

PUBLIC WORKS (R & B) DEPARTMENT

Paragraph 57 read with Appendices IV and V at Pages 74 and 168-169 of the Report of the Comptroller and Auditor General of India for the year 1969-70—Sibsagar by-pass

6.1. The paragraph brings out that the Department upto March, 1970 spent Rs. 25.29 lakhs on a work thout any estimate and Rs. 145.89 lakhs on 23 other works in excess of 5% of the sanctioned estimate or over Rs. 5 lakhs in its individual cases.

6.2. As regards the Sibsagar by-pass, the Departmental witnesses stated that the alignment of the project was approved by the Government of India in 1965 but due to financial stringency in 1961-67 even after putting pressure the Government of India did not sanction the

estimates. In the meantime, the safety of the Dikhow bridge was at stake and the authorities were informed accordingly. In the year 1968, the Government of India suggested for a link when they were informed that that will be only an infructuous expenditure to which no reply was received back. In the meantime, Government of India after processing the estimates raised certain objections which were met and they were also categorically told that they were not going to take up the link though they have sanctioned Rs. 10 lakhs for the purpose. From the 1st part of 1969, they started the Sibsagar by-pass at the estimated cost of Rs. 4.45 lakhs with the knowledge of the Government of India. He further informed that the estimate has gone to Government of India for technical sanction. The then Additional Chief Engineer took the decision for starting the work with information to the Government but there was no reply as to whether the Government was informed nor the letter could be produced. The then Additional Chief Engineer took up the work at his own responsibility as a special case as the bridge was in jeopardy on the verbal permission and on funds specifically allotted from Government. But there was no work order issued for the purpose. The Departmental witnesses assured to furnish the detailed estimate as early as possible which has not come to the Committee. As they could not explain how the estimates jumped from 9 lakhs to 17 lakhs they were directed to submit the explanation if any along with the Department's letter to Government of India to Secretary, Assam Legislative Assembly which were not forthcoming.

6.3 The Committee observed that the project was undertaken by the then Additional Chief Engineer in connivance of all Financial Rules and Rules of the P. W. D. Code i.e. without technical sanction, without work order, without formal allotment of money etc. for the purpose in the name of emergency but the emergency could not be explained nor they could give any idea as to why the estimate rose from Rs. 9 lakhs to 17 lakhs. It has been stated that the technical sanction for the project is still under consideration of the Government of India and by the time the Government of India gives the technical sanction, it is not unlikely that the estimate will have to be further revised. The Government of India approved the alignment in 1965 and if the Department were quick enough, they could have obtained the technical sanction immediately on the ground of emergency and thereby could have avoided the extra expenditure which was not done. The Department's letter to Government of India and the detailed estimate have also not been furnished as assured. The work was taken up by the Additional Chief Engineer at his own risk as stated by him which were known to his superiors, but nothing sort of any advice appears to have been given by the superior authority.

RECOMMENDATION

6.4. The Committee therefore recommends that there should be a proper probe into the whole affair and responsibility fixed on the persons concerned, within three months from the date of presentation of this Report before the House and that actions taken should be communicated to the Committee accordingly.

Paragraph 58 at pages 74-75 of the Report of the Comptroller and Auditor General of India for the year 1969-70

Bridge over river Barak at Silchar

7.1 Construction of the Bridge was entrusted to a firm in 1965-66 at a lump sum contract of Rs. 21.76 lakhs. According to the agreement, the firm was to be provided with foreign exchange of Rs. 6.89 lakhs to procure design and certain materials from abroad and the work was to be completed within April, 1958. The Department approached in October, 1955 the Controller of imports and Export instead of the Ministry of Transport, Government of India for foreign exchange. When this mistake was pointed out by the contractor in January, 1957 the Department wrote to the Ministry of Transport in April, 1957 and sanction of foreign exchange was received in April, 1958. In June, 1958 the firm demanded a foreign exchange of Rs. 4 lakhs reportedly due to rise in cost of material abroad whereupon construction of the bridge was abandoned and the contract terminated in December, 1959 on payment (July, 1968) of Rs. 11.13 lakhs (Rs. 4.25 lakhs for foundation wells, Rs. 4.71 lakhs for superstructure; (sub-structure etc. and Rs. 2.17 lakhs compensation for termination of contract). Thereafter, Government decided to construct a prestressed cement concrete superstructure bridge over the foundation wells already constructed and allotted the work to another firm in November, 1960 after inviting tenders for a lump-sum of Rs. 18.95 lakhs (estimate as per revised design Rs. 29.93 lakhs) to be completed within 24 months. The firm stated the work from April 1961 and in November, 1963 it asked for extension of time upto April, 1966 for correcting lifts and shifts in the wells constructed by the earlier firm (not shown in the earlier tender documents) and for the delay in approval of the calculations and drawings by the Department. Again, in March, 1964, the firm proposed to make the bridge traffic worthy at the end of December, 1965 on payment of Rs. 5.97 lakhs more to cover additional expenditure for accelerated completion of the work. This was accepted by the Department in May, 1964 and agreement signed in October, 1964 for the additional payment of Rs. 5.97 lakhs. In view of certain difficulties the contractor asked for extension of time upto April, 1966 and this was also allowed in January, 1966 and the bridge opened for traffic in June, 1966. The firm was finally paid Rs. 35.70 lakhs. The total cost of the bridge increased from Rs. 21.76 lakhs to Rs. 46.83 lakhs. The Departmental witnesses stated that from a circular issued in 1955, application for foreign exchange is to be made to the controller of Imports and Exports. He is not aware when procedure changed and whether there was any personal contact as the relevant file could not be traced.

7.2 The Departmental witness could not give any information except that regarding payment of compensation, he said that they obtained the opinion of the Legal Remembrancer on the subject who advised that in view of the circumstances of the case, the contractor might be paid on the basis of actual work done which would be equitable in the circumstances of the case as the relevant file is not handy. All Officers who were entangled in the case have long been retired.

7.3. From the evidence, it is found that the amount of Rs. 2,17,000 has been paid to the contractor as compensation for termination of

contract for construction of bridge over river Barak at Silchar as no effort was made by the Department to collect foreign exchange permit in time. (The relevant file has also been reported by the Department to be untraced)

RECOMMENDATION

7.4. The Committee recommends that there should be a thorough probe into the whole affairs and responsibility should be fixed on the person/persons concerned within 3 months from the date of presentation of the Report before the House.

Paragraph 59 at page 75 of the Report of the Comptroller and Auditor General of India for the year 1969-70— Bridge over Lubha river.

8.1. The construction of a 420 ft. suspension bridge over Lubha river was technically approved in 1957 at an estimated cost of Rs. 11.39 lakhs. Tenders called at different times did not bring any response. Subsequently in response to a tender notice for construction of reinforced cement concrete bridge (unbalanced cantilever with an intermediate span of 170 ft. and two end spans of 125 ft.) two tenders were received in July, 1960 and work order was issued to the lowest tenderer subject to certain modifications in their condition. The lowest tenderer did not turn up and the work was allotted in September, 1962 to the second lowest tenderer (offering to complete the work in 20 working months) at the tendered amount of Rs. 11.54 lakhs raised to Rs. 11.83 lakhs (consequent on certain modifications made in consultation with the Firm). One of the stipulations in this tender was that the Department would provide working space of 200 ft. of the bridge at formation level. The firm started the work only in February, 1964 (without entering into any formal agreement) but could not proceed with the work for want of working space stipulated in the tender. No working space was provided by the Department reportedly due to exorbitant cost of providing working level space due to high Hills with steel slopes on both banks of the river. Instead, fresh tenders were invited on 7th August, 1964 without provision for level space. A single tender for a lump sum of Rs. 16.75 lakhs inclusive of compensation of Rs. 1.17 lakhs for expenditure incurred earlier was received on 7th September, 1964 from the same firm; this was accepted and work allotted on 4th March, 1965 necessitating extension of completion date from March to October, 1967. In December, 1965, a supplementary agreement was entered into with the firm to make the bridge traffic worthy by 11th February, 1967 on additional payment of Rs. 2.75 lakhs.

8.2. Rs. 3.35 lakhs were paid to the firm for certain abutments and foundation of piers upto January, 1966 when the Department observed on inspection on 5th January, 1966 what the soil strata of site was unsuitable for the type of bridge planned. The work was, therefore abandoned in February, 1966 and a second supplementary tender was executed with the same firm by negotiation on 11th October, 1969 for construction of a single span cantilever bridge at the same site at a lump sum of Rs. 22.80 lakhs which included compensation of Rs 1.17

lakhs due to non-provision of working space, Rs. 2.75 lakhs for accelerated completion and Rs. 3.35 lakhs on abandoned abutments and pier foundation. The work stipulated to be completed by February, 1967 was completed in January, 1968 and the bridge was made traffic worthy on 30th January, 1968.

8.3. The Departmental witness stated that they did not agree to provide working space but the contractor himself withdrew his tender. The extra money demanded by the contractor was also not paid. But they did not contest this position when the audit para was sent to them. He also informed the Committee that the original demand had to be changed because the soil was found to be unsuitable and that the rate has no bearing with the original tender. The Contractor quoted Rs. 22.80 lakhs against the Departmental estimate of Rs. 24.98 lakhs for the new design which was accepted by them. They also informed the Committee that they did not have any design of their own. After abandonment of the earlier design, no open tender was given. The only tenderer, who was the same man who quoted 11 lakhs at first, quoted Rs. 22.80 lakhs for the new design. The work was given to the contractor because that was a new type of bridge and this contractor was experienced in this particular type of bridge. The Executive Engineer gave the technical notes and his higher officers approved it. Preliminary soil testing was made but they said subsequently it was found unsuitable. The Departmental witness gave the break up of Rs. 2.75 lakhs sanctioned for accelerated completion of the work. Although this amount of Rs. 2.75 lakh was included in the contract amount of 22.80 lakhs, the Departmental witness stated that this amount was not paid nor they contested this statement. An amount of Rs. 2 lakhs was also paid in advance to the contractors. There was no reply from the Departmental witness as to whether the instructions from Director General, Road Development, Government of India regarding correctly finding out the depth of the strata and also as to whether the rates accepted conformed to the Public Works Department's rates. They then revealed that it was not the P.W.D. rate nor the rate of Government of India but it was the rate quoted by Grammon India Ltd.

8.4 It seems that the Department did not follow any sort of P.W.D. convention or code in respect of accepting rate of tenders submitted by particular firm. Had the Department been careful from the very beginning, there would have been a lot of saving of Government money in this particular project. In fact everything both financial and technical aspects of the matter were left at the mercy or wishes of the firm in question i.e. the firm was given monopoly of the contract in respect of discretion of giving rate and discretion of target date of completion of the project. Nowhere the Committee finds a solitary case where the P.W.D. is following rigidly their code. It has also come to the notice of the Committee that the amount of Rs. 6.68 lakhs including an advance of Rs. 2 lakhs was paid in March, 1966 where as the 1st work was abandoned in the month of February, 1966 and the 2nd negotiation took place in October 1966. Even the Department could not explain why the directives of the Central Government issued to them vide letter No. CRF./W-3/11176/55, dated 15th December 1969 regarding taking of boring before the work on piers was taken in hand was not complied with. The Department

had neither sent their reply to the Government of India that they have accepted the Public Works Department rate nor they could explain to the Committee about the justification of the acceptance of the rate as quoted by the tenderer. The Department neither contacted the Accountant General when they were given opportunity to rectify any omission before finalising the Report placed in the House nor they cared to study the audit paras thoroughly. Only at the time of giving evidence they go through the Report hurriedly and practically come unprepared. An advance of Rs. 2 lakhs was paid to the firm on 25th March, 1966. The work allotted to the contractor was found to be unnecessary in January, 1966 and was abandoned in February, 1966. The reasons for payment of advance could not be explained by the Departmental witness. There was also no explanation as to why Rs. 2.75 lakhs for accelerated completion of the work was paid to the firm when the work was completed in January, 1968 and was made traffic worthy on 30th January 1968 instead of completing the same by February 1967 as stipulated. When the Government was going to incur a huge expenditure on a project, there should have been a thorough soil test and the Committee has failed to understand when only a preliminary testing was made which subsequently proved fatal to the State ex chequer and for which the design of the bridge had to be changed.

RECOMMENDATION

8.5 The Committee, therefore, recommends that there should be a thorough enquiry covering all the points observed by the Committee and responsibility fixed within six months from the date of presentation of this report to the House and action taken communicated to the Committee accordingly.

Paragraph 60 at page 77 of the Report of the Comptroller and Auditor General of India for the year 1969-70—Jail Building at Barpeta.

9.1. Construction of a new sub-jail for 78 prisoners and staff quarter at Barpeta at an estimated cost of Rs. 19.37 lakhs was completed by the end of 1967. On inspection, the Inspector General of Prisons found certain defects in construction of the Jail building because of which it was considered unfit for use without certain additions and alterations. The buildings have remained unoccupied ever since construction.

9.2. The Departmental witness stated that the building was constructed on the basis of the specifications as approved by the Department and the modifications costing Rs. 40,300 was also done at their instance. Out of this alteration cost only about Rs. 2,000 and the rest for additions. They further stated that there is no doubt that while forwarding the estimate the norm of a Jail building was not looked into but the opinion that it was also the duty of the Home Department to scrutinise the estimate before giving administrative approval. The technical sanction was given by the Chief Engineer but subsequently it appeared that the building was not suitable for use as a jail.

9.3. The witnesses from the Home (Jail) Department stated that the administrative approval was given on a rough estimates where

from details could not be examined. They also stated that the Inspector General of Prisons inspected the building in June, 1969 where he suggested certain additions and alterations which cost Rs. 40,300. They also did not indicate the norm of a Jail building to the Public Works Department.

OBSERVATION

9.4. The Committee observed that from the evidence tendered by both Home Department and Public Works (R & B) Department, it is found that the excess expenditure incurred for construction of the Jail building at Barpeta for carrying out certain additions and alterations after completion of the building has been caused due to the negligence of both the Departments. The Jail Department did not indicate the norm of a Jail building while giving administrative approval nor paid a visit at the early stages of the construction when alterations could have been avoided. The Public Works (R & B) Department, on the other hand, failed to construct the building according to the norm of a Jail even when the technical sanction was given by the Chief Engineer.

RECOMMENDATION

9.5. The Committee regrets to note that an additional expenditure of Rs. 40,300.00 had to be incurred in construction of Jail buildings at Barpeta due to lack of timely supervision of Home (Jail) Department and also due to failure of P.W.(R. & B.) Department to construct the building according to the norm of Jail. The Committee therefore recommends that Department should take every precaution to avoid such expenditure in future.

Paragraph 61 at page 77 of the Report of the Comptroller and Auditor General of India for the year 1969-70 irregular adjustment.

10.1. Against provision of funds for tools and plants during 1968-69 at the disposal of the Executive Engineer Mechanical Division, Gauhati orders were placed in March, 1969 for supply of some heavy machines with certain Calcutta firm within 31st March, 1969. Although the machines were not received by 31st March, 1969 and there was no proof of despatch, Rs. 2.47 lakhs were adjusted in the accounts of March, 1969 as having been spent out of the allotted funds by credit to Public Works Deposits. Between May and July the firms were paid Rs. 0.98 lakhs; the balance of Rs. 1.49 lakh remained unpaid upto July, 1970.

10.2. The Departmental witness stated that the Executive Engineer reported that the machines were received before March, 1969. The Executive Engineer concerned stated that there were various types of machines and all the machines arrived except compression testing machine. Payment was not made; fund was kept in deposit so that payment could be made later on. When it was pointed out that in his letter to the Chief Engineer he has stated that the audit was satisfied when they have noted that the delivery of the machine was made after 31st March which was signed by him and the contractor wrote

that the vehicle carrying the Machineries developed certain mechanical trouble for which he wanted one week's time for delivery, the Executive Engineer stated that there are other records and he did not get time to go through them. When he was told that till 24th February, 1970 the date on which he was in agreement with the audit officer he informed the Committee that actually when the Audit Report was read out, certain points might have escaped his attention. He further informed the Committee that under the terms of the contract, payment was not to be made before demonstration and that was why instead of making payment to the contractor, the fund was kept in deposit. There was no reply when he was enquired under what rule he drew the money on behalf of the contractor and kept it in deposit. The Superintending Engineer advised him to make payment upto 90% on despatch document although the goods were on transit. The Executive Engineer also informed the Committee that on the advice of the Divisional Accountant he made the book adjustment and the money was not drawn in cash. According to him the reply given by him to the Chief Engineer relates to those machines which did arrive. The Additional Chief Engineer called for the tender. The Executive Engineer said that he has not written back to the Superintending Engineer explaining the reasons for non-payment which was contrary to the terms of the contract and other rules. The Departmental witness stated that one Under Secretary is in charge of audit and informed the Committee that he has no expert hand to deal with the audit objections. As he could not say categorically whether the amount of Rs. 1.49 lakhs was realised the Committee allowed them time to prepare a full note on the basis of records and to submit the same to the Committee as early as possible and a note was furnished to Accountant General with a copy to Secretary, Assam Legislative Assembly vide their letter No. ADT. 87/70/28, dated 4th August 1972 in reply to their D. O. No. REP. 1/43(65) 70/997, dated 30th September 1970. The Departmental witness stated that the Deptt. which has got the authority to make an agreement can also revise it subsequently and therefore he modified the order a little. The first order was that by the 31st March he would have to deliver the machinery but subsequently that order was revised to the effect that by 31st March if he could show the despatch documents, 90% payment would be made because he was not sure how much time would be necessary to reach the machinery. The Departmental witness stated that if the payments were held up till the receipt of the machinery then the amount would have been lapsed. After 31st March, there is no time for surrender also. There was no provision for the purpose in the next years budget. One or two machineries had already arrived and the documents were also received by the Executive Engineer. So he discussed with the Superintending Engineer who advised him to make 90% payment against the document. He however admitted that it was irregular. The quotation for supply was called for on 17th March 1967. The Departmental witness admitted that the procedure for procuring the machineries was wrong but stated that had to be resorted to in view of the urgency of the matter. The Superintending Engineer stated in this case he sought advice from the Secretary and on receipt of their advice he issued the instructions for making payment of 90% etc. to the Executive Engineer. The payment could not be delayed as there was no provision in the next year's budget

10.3. The Committee observes that it is evident that the Executive Engineer (Mechanical) Gauhati gave some wrong informations to the Department and through the Department to the Committee. He also signed the audit objections and before doing so, it was his duty to go through the report and his letter to his superior authority is at variance with the audit objection which he signed. He said that the machines did reach the destination on 31st March, 1967 for which payment was made but actually all the machines did not reach before 31st March, 1967 which is a floutation of Financial Rules and misleading. Under the terms of the agreement, no advance payment was to be made but to avoid budget saving, the advance payment of 90% was made by the Department contrary to rules. The argument of the Deptt that they can revise the agreement will not hold any water if the revision goes against the interest of the contractors and according to law this cannot be allowed. The supply order was given on 17th March, 1967 in view of the urgency of the matter but the Departmental witness could not explain how the urgency came in March, 1967 only and why no step was taken to get the machinery earlier immediately after the Budget was passed by the Legislature.

10.4. The Department also did not submit a detailed note as assured on 20th May, 1972 regarding adjustment balance Rs. 1.49 lakhs. The Department has relaxed certain terms and conditions even by going beyond the rules which indicates that they had shown undue favour to that particular contractor.

RECOMMENDATION

10.5. The Committee therefore recommends for fixation of responsibility on the part of Executive Engineer (Mechanical) Gauhati for making contradictory statements and for signing documents mechanically without scrutinising the same

10.6. The Committee also recommends for fixation of responsibility on the part of the person who was responsible for the delay in placing orders for supply of the machineries in the month of March, 1967, in the name of urgency and making payment without receiving the machineries in terms of the agreement and for flouting the financial rules after seating over the budget provision as passed by the Legislature during the whole year.

10.7. The Committee further recommends that unilateral revision of the agreements should be avoided by the Department in future.

Paragraph 62 at page 77 of the Report of the Comptroller and Auditor General of India for the year 1969-70—Nugatory Expenditure

11.1. Dibrugarh Division received between January and April, 1963, 29 road rollers on loan from Government of Maharashtra for execution of certain road works. The rollers were returned between February, 1963 and September, 1964. Out of 8261 roller days available, the division utilised only 3089 roller days and that too on works other than those for which the rollers were borrowed. The nugatory expenditure was Rs. 3.35 lakhs.

11.2. The Departmental witness stated that during the Chinese aggression, the Government of India gave priority for development of the N. H. Nos. 31, 37 and 38. After two or three months priority was changed and only 31 got priority. By that time rollers had been ordered to go to Dibrugarh. The rollers of the State Public Works Department were not sufficient. At that time, the planning was done by the Government of India on an emergency basis and the State Public Works Department was not organised to cope with the situation. The road rollers were utilised according to shifting priority and the State Government did not ask for these.

11.3. The Committee observes that whatever may be the causes the loss would have been minimised by taking active steps for early returning of the rollers which the Department did not take.

RECOMMENDATION

11.4. The Committee therefore recommends that the Department should note that in future the Department should be prompt and active in dealing with such cases where the question of the fund of the State ex-chequer is involved.

Paragraph 63 at page 77 of the Report of the Comptroller and Auditor General of India for the year 1969-70—Unrecovered advances.

12.1. Construction of selling-Champai District road Section I at an estimate of Rs. 10 lakhs taken up in February, 1964 by the Aijal Division was stopped from March, 1966. From March 1966 and May, 1967, however Rs. 1.68 lakhs were paid to eight contractors as advances for work allegedly done prior to March, 1966 but not measured. The advances have not yet been recovered or adjusted the cases were reportedly under investigation by a board of Enquiry.

12.2. The Departmental witness informed the Committee that the Enquiry Committee reported that because the B.R.T. had covered the road, measurement could not be done. They further intimated that the information was that the B. R. T. would not disturb the work and no request was made to measure the road to them.

12.3. About the payment of Rs. 1.68 lakhs to the contractors for alleged construction of a portion of selling—Champai District road. Sec. I, the reply given by the Departmental witness was unsatisfactory. The witness stated that an Enquiry was instituted to examine the question of construction of a portion of the road vis-a-vis payments made to the contractor. According to the Enquiry Officer who happens to be the S. E. (R & B), Silchar, the work was actually done and payments made correctly. But this statement cannot be accepted by the Committee because the question of measurement which is very vital for making payment to contractor was completely ignored. Furthermore, it is observed that even at the time of handing over the road to B. R. T. no effort was made to ascertain the measurement of the work. It appears that the measurement was not done at all and this has been confirmed by the Executive Engineer when he signed the draft inspection report.

RECOMMENDATION

12.4. The Committee therefore recommends that there should be a further probe into the whole affair with particular reference to rule 329 of the P.W.D. code and findings communicated to the Committee within three months from the date of presentation of the Report to the House.

Paragraph 54 at page 78 of the Report of the Comptroller and Auditor General of India for the year 1969-70—Adjustment in works accounts.

13.1. According to the financial rules, stock adjusted by debiting to work the cost of material not required or in excess of actual requirement are prohibited. Despite this adjustments were carried out in March in the cases of Jowai, Goalpara and Tezpur Divisions which are not permissible under Rule 191 of the Assam P. W. D. Code.

13.2. The Departmental witness agreed that it was a fictitious adjustment and stated that they have asked for explanation from the Executive Engineers concerned and in one case they have received reply and in another case they have not. They have also issued a circulars in connection with the recommendation of the Public Accounts Committee and assured that the officers responsible will be proceeded with.

13.3. The Departmental witness agreed with the contention of the Committee that in respect of such adjustments generally the officers take recourse to fictitious adjustments. In spite of the recommendations made by the Public Accounts Committee in its Sixth Report at page 41 asking the Department to be careful in respect of maintaining such accounts and also to take precautionary measures to avoid such accounts of fictitious adjustment of stores etc. of the Department, no effort has so far been made by the Department to implement the recommendation of the Committee. The Committee expressed its great concern about the attitude of the Department towards the recommendation of the Public Accounts Committee which were made by it for their guidance. However, the Departmental witnesses expressed their regret for their inability to implement the recommendation of the Public Accounts Committee and assured that they will definitely take all possible measures to implement such recommendation of the Public Accounts Committee in future, further the Committee feels that the responsibility will be fixed on the officers for falsification of public records and necessary action taken against the persons concerned. The Departmental witnesses have however, assured that necessary action will be taken against the officers concerned.

RECOMMENDATION

13.4. The Committee therefore recommends that action taken by the Department against the officers for falsification of Government record and also for flouting the recommendation of the Public Accounts Committee should be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 65 at pages 78—79 of the Report of the Comptroller and Auditor General of India for the year 1969-70 Earthwork (a).

14.1. In paragraph 69 of the Audit Report, 1965 mention was made of delay in construction of a bridge over Desang River and consequent additional expenditure (Rs.0.64 lakh). The Public Accounts Committee in its Report of February, 1967 recommended that a thorough probe into the circumstances leading to delay in completion of the bridge should be under taken and a report submitted to it. Information about completion of probe and submission of report thereof to the Public Accounts Committee has not yet been intimated (December, 1970). The bridge stipulated to be completed in March, 1961 was completed only in September, 1966 ; Rs. 0.32 lakh were spent more for construction of cold weather bridges and maintenance of ferry services.

14.2. For bridge approaches earthwork entailing carriage by head load was taken up in January, 1960. According to agreements the work was to be completed by April, 1960 but it was not completed till March 1966. In April 1966, the Chief Engineer observed that all-out efforts should be made for its early completion. Further, earthwork was done (during June 1966 to March, 1967) by truck carriage from distant places at higher rates (10,959 cubic metres at Rs. 5.90 per cubic metre and 1,715 cubic metres at Rs. 5.30 per cubic metre as against Rs. 1.50 per cubic metre provided for head load in the contract) by negotiation without calling for tenders on grounds of urgency there being no land nearby for head carriage due to rains. Truck carriage resulted in extra expenditure of Rs. 0.55 lakh compared with reference to head load. The bridge was completed in September, 1966 and it was opened for traffic in December, 1966.

14.3. The Departmental witness* informed the Committee that they have been trying to constitute the Committee to investigate into the delay for the construction of the bridge over the river Desang. He gave a detailed description as to how he has approached, different officers to become a member of the Enquiry Committee but nobody has agreed to do the job. The witness did not reply whether pending investigation by the Enquiry Committee, there was any enquiry from his side but opined that he is not in favour of including officers from his Department in the Enquiry Committee. He also did not refer the matter to Chief Secretary informing him that such and such officers of the State Government refuses to conduct the enquiry. The Departmental witness could not furnish the actual cost of the bridge on completion.

14.4. The Committee has taken serious view of such kind of explanation by the Department in such an important matter and those officers who refused to carry out the recommendations of the Public Accounts Committee, their names should be brought to the notice of the Chief Secretary and the Chief Secretary should be apprised of the entire situation. The Committee feels that unless some specific decision on this issue is taken, the Committee will fail to function effectively on behalf of the House. Those officers who wanted to throw out the recommendations of the Public Accounts Committee on their personal convenience or inconvenience their names should be brought to the notice of the Government as well as to the House.

The contractor was granted several extensions upto September, 1966 and the ground for extension as claimed by the contractor was delayed by the Department in approving design and inability of the Department to supply steel in time as per agreement (in one case the Department took 13 months from the date of submission of the proposal by the contractor and in another case it took one year and for super structure it took 5 years). No enquiry has been made to find out the reasons for delay in the Department and also to find out who was responsible for such delay.

RECOMMENDATION

14.5. The Committee therefore recommends that the enquiry over the anomaly in construction of the bridge over Desang river should be completed immediately and submit its report to the committee within three months from the date of presentation of the Report to the House.

14.6. The Committee further recommends that the delay in the Department in approving the proposals submitted by the contractor should also be investigated and responsibility fixed within three months from the date of presentation of the Report before the House and action taken should be communicated to the Committee accordingly.

14.7. The Committee also expresses its serious concern about the delay in constituting the Enquiry Committee as suggested by the Public Accounts Committee in 1967 and recommends that the matter be enquired into and responsibility fixed on the person/persons concerned within three months from the date of presentation of the Report to the House and action taken to be communicated to the Committee accordingly.

Paragraph 66 at page 79 of the Report of the Comptroller and Auditor General of India for the year 1969-70 - less due to payment to an unauthorised person.^h

15.1. The works were entrusted to a contractor in December, 1955 and March, 1956. For the work done Rs. 0.24 lakh were paid between November, 1956 and August, 1957 to a person on production of a specific power of attorney made for another contract and a note from the Superintending Engineer. In February, 1959 the contractor demanded payment of all dues to him stating that he had not given any power of attorney for those works and instituted a legal suit to establish his claim. The court decreed in his favour and Rs. 0.25 lakh were paid to him in February 1968. Responsibility for the loss due to payment to an unauthorised person has not been fixed (December 1970).

15.2. The Departmental witness informed the Committee that the matter is subjudice and is pending with the hon. High Court since

1966. He also informed the Committee that there is a procedure of making payment when a power of attorney is given. The case has gone to High Court so as to enable them to fix responsibility as in that power of attorney, he has taken the money for another work. They were also taking action from the Dept's side against the Officer who has been found guilty.

15.3. The Committee observes that since 1966 no hearing date has been given in this particular case.

RECOMMENDATION

15.4. The Committee therefore recommends that the Department should take up the matter with the Hon. High Court in consultation with the Legal Remembrancer so as to enable the hon. High Court to expedite the case.

Paragraph 67 at page 79 of the Report of the Comptroller and Auditor General of India for the year 1969-70 - Overpayment.

16.1. For doing the North Trunk Road within Mangaldoi Road Division earthwork was allotted to several contractors in 1965-66 and 1966-67. Although profile measurements of the extended portion of the road were taken, usual deduction for shrinkage of earth (one-twelfth of volume) was not made except in a few cases, resulting in overpayment of Rs. 0.26 lakh.

16.2. The Departmental witness stated that though the general specification is a part of the agreement, no shrinkage allowance was given in this case as there was no possibility of shrinkage as the soil was a sandy soil.

16.3. The Accountant General however differed with the Departmental witness on the interpretation of the terms shrinkage allowance and shrinkage deduction.

RECOMMENDATION

16.4. The Committee recommends that as the terms are technical, Accountant General will further examine this matter in consultation with the Department and the Department should issue necessary instruction to the Field Officers accordingly for guidance in future.

Paragraph 68 at page 79 of the Report of the Comptroller and Auditor General of India for the year 1969-70 - Rejection of lowest tender.

17.1. During 1966-67, the lowest tenders offered by a first class contractor were not accepted by the Superintending Engineer for execution of three groups of a work relating to construction of weak and lower standard culverts on North Trunk Road under North Trunk Road Division North Lakhimpur. Reasons for rejection of the lowest tenders

were not on record; it was noticed (January, 1968) that in two groups, works was allotted to a second class contractor. Non-acceptance of the lowest tenders resulted in extra expenditure of Rs. 0.16 lakh.

17.2. The Departmental witness informed the Committee that he has verified this and found that actually they have allotted the work to the lowest tenderer and there were some savings to the Government. There were something wrong on the Inspection note. Actually there were two items and the inspecting staff has taken both the items into account. But the fact were not intimated to the Accountant General in time as he stated on 21st August 1972, that he has detected the mistake only a few days back. Out of the four tenderers, three were local peoples and one from outside the State and though the outside contractor gave the lowest rate, preference was given to the local contractors according to Government policy and after negotiation it was given to the local contractor.

17.3. The Committee observed that the Accountant General will examine this case further. The matter could have been settled at the official level had the Department were quick enough to attend to the audit objections which was not done. The matter may be sorted out in consultation with the Accountant General.

RECOMMENDATION

17.4. The Committee therefore recommends that the Department should note that in order to avoid such kind of controversy, the reply to the audit objection should be furnished forthwith and any lapse on the part of the Department in this regard will be severely dealt with in future.

paragraph 69 at page 80 of the Report of the Comptroller and Auditor General of India for the year 1969-70-Arrears of House rent.

18.1 According to the records of sixteen Public Works Division, Rs. 6.56 lakhs as rent of Government buildings up to March, 1970 remained unrealised-in some cases over 19 years. In addition, rent of Rs. 5.19 lakhs (Rs. 3 lakhs up to March, 1970 for buildings and properties occupied by Pinewood Hotel, Shillong, and Rs. 2.19 lakhs up to March, 1969 from occupants of Assam House, New Delhi) remain unrealised (October, 1970).

18.2 The Departmental witness informed the Committee that they could not realise anything from the Pinewood Hotel after creation of Meghalaya and assured that the same will be realised when the assets and liabilities will be taken into account. They have informed the Accountant General and referred the matter to Finance but the Finance Department has not given any guidance as yet. He further stated that rent bills are supplied regularly. Rent rolls are submitted by their Departmental officers regularly to the occupants of Government buildings and quarters but they fail to collect the rents timely. He also

stated that the Deputy Commissioners and Sub-Divisional Officers collect the rents of the Circuit House and the Dak Bungalows. As regards, rents of Assam House, New Delhi, it is clear. As regards, Assam House, Calcutta the occupants are paying rents.

18.3. The Accountant General, however, stated that there are two stages one is about official, and the other is non-official. Regarding Gazetted Officers, payment of rent is the responsibility of the officer himself and regarding non-gazetted officers, the heads of the Departments are responsible for realisation of rent and opined that they can take up this matter with Finance Department. He then advised the official witness to work out the arrears of rent and inform the Accountant General accordingly when they will take up the matter with the Finance and Treasury Officer.

18.4 Regarding House rent, the Departmental Officers stated that though serious efforts were made to realise the arrear rents including current rents, they have failed to do so as most of the Officers occupying the Government quarters and buildings, did not give much importance to the circulars issued by the Public Works Department and it was therefore suggested that some new precedences might be adopted for realising rents including arrear house-rent. The Committee therefore felt that some new method, should be applied to get the payment regularly from the Officers who were occupying the Government houses and quarters. The Committee discussed this matter and authorised the Accountant General to take up the matter with the Finance Department and to find out a new method for solution of the problem. Regarding Pinewood Hotel, as the same has been transferred to Meghalaya Government, the Committee did not feel it necessary to pursue the matter relating to assets and liabilities when this would be decided by the two Government at a higher level. Though the Departmental Officers stated that there was no arrear house-rent regarding Assam House, New Delhi, the information received from the care-taker, there was somewhat confusing and hence this is to be further verified. The Departmental Officers should therefore obtain clarification from the Care taker, Assam House, New Delhi and inform the Committee through the Accountant General immediately. As regard realization of rents of Government quarters, Circuit Houses, Dak Bungalows and the two Assam Houses at Calcutta and New Delhi, a new procedure should be evolved and Accountant General was requested to take up the matter with the Finance Department to evolve such a new procedure. Public Works Department should furnish the arrear last of house-rents to the Accountant General as early as possible.

RECOMMENDATION

18.5. The Committee therefore recommends that the Department should take up the matter in the line of the observation made above and the action taken communicated to the Committee in due course.

Paragraph 70 at page 80 of the Report of the Comptroller and Auditor General of India for the year 1969-70—Procurement of boats.

19.1. The Department procured between 1962-63 and 1963-64 105 single boats (cost Rs. 11.24 lakhs) in order to strengthen the ferry services at various places during the emergency. In July, 1963, the Chief Engineer directed that as the boats were no longer required for emergency purpose some of the them might be let out.

19.2. There boats were let out to the Border Security Force from November, 1966 to January, 1967, four from February 1967 to June, 1968, three from July 1968 to July, 1969. Rs. 1.23 lakhs claimed in November 1969 as hire charges for them remain unpaid-so far (December, 1970). These ten boats have been lying idle with the Public Works Department and are awaiting disposal by auction.

19.3. Fortysix boats were transferred/sold to other Department of which thirty-five transferred to the Transport Department in April 1968 were reported to be unserviceable from the beginning. The Department spent Rs. 0.76 lakh on watch and ward of these boats and Rs. 0.12 lakh on repairs and maintenance.

19.4. Of the remaining fifty-nine boats, eleven are being utilised one sank in Brahmaputra and fortyseven boats (including ten mentioned above except when hired out) have been idle since their purchase. Government intimated August, 1970) that these forty-seven boats would be disposed of in public auction.

19.5. In Nowgong Division approximately Rs. 0.20 lakhs were spent up to 1969-70 on two Chowkidars to keep watch on ten idle boats, similar information about other such boats is not available.

19.6. As regards the hire charges from B. S. F. the Departmental witness stated that the rate of hire charges per boat per month was Rs. 960/-, but the B. S. F. did not reply and informed the Committee that the matter will have to be taken up with the Chief Secretary. they have since returned the boats and the Government is taking action to dispose 58 boats by auction. They are taking action to fix the price. The Revenue Department do not like to take the responsibility of the boats used in relief operation.

19.7. The Committee observed that the matter has been very much delayed and the Department should be prompt in dealing such cases.

RECOMMENDATION

19.8. The Committee therefore recommends as follows :—

(1) About realisation of the hire charges from the B.S.F. the Committee wants that the matter should be taken up with the Chief Secretary and the result communicated to the Committee within one month from the date of presentation of the Report to the House.

(2) About disposal of the 58 boats, the Committee feels that the matter should be decided finally and for such decision, the Chief Secretary, Financial Commissioner, Secretary, Public works (R & B) Department, Secretary, Revenue and Secretary, B. F. C. should meet, discuss and finalise the issue once for all within one month from the date of presentation of this Report before the House and the action taken communicated to the Committee accordingly.

Paragraph 100 (v) at page 93-94 of Report of the Comptroller and Auditor General of India for the year 1969-70-Idle investment.

20.1 The case is in Barpeta Division 12,214 cubic feet of mean size boulders valued at Rs. 0.24 lakh meant for flood damage repairs to Nakhand bridge have been lying at the quarry site since March, 1963. The Executive Engineer intimated in August, 1970 that in view of transport difficulties, the boulders could not be carried to the site of work and that arrangement would be made to use the boulders in other works.

20.2. The Departmental witness stated that the road from Barpeta to Baghbar was damaged due to arosion by the Brahmaputra and the boulders could be carried only by boat during rainy season and carriage by boat was costly. In the meantime they managed to do the work from other collections and that the boulders will now be utilised in constructing a bridge on that river

20.3. The Committee carefully listened to the arguments put forward by the Departmental witness. The Committee is of the opinion that the Department did not give the full background of the case to the Committee. The Committee feels that this could happen because of the lack of foresight of the officer who was put in charge of that particular project and this is not a solitary case of this kind that the Committee came across in the Department.

RECOMMENDATION

20.4. The Committee therefore recommends that the Department should in future, avoid such practice and the Department should obtain a full report on such cases before they come to appear before the Committee and that they should not depend entirely on their subordinate officers. As the Departmental witness said that the boulders would be utilised in other works immediately, the Committee does not like to comment anything more. However, the Department should furnish detailed information about the utilisation of the boulders within three month from the date of presentation of this Report to the House. The Department is further asked to get a clear explanation from the officer concerned about the background of the case.

Paragraphs 137-138 at pages 150-152 read with Appendix X and XI at pages 150-152 of the Report of the Comptroller and Auditor General of India for the year 1969-70.

21.1 These paragraphs bring out the position of outstanding audit objections and inspection reports raised upto 31st March 1970 but not settled upto August, 1970.

21.2 The Departmental witness informed the Committee that the position of the outstanding audit objections has since improved. Out of the 2065 paras, they have settled 1609 paras leaving a balance of 192 paras, 868 paras have been dropped.

RECOMMENDATION

21.3. The Committee recommends that the Department should finalise the objections with the Accountant General immediately.

Notes 2 and 5 under Grant No.55 at page 105 of the Appropriation Accounts, 1969-70.

NOTE 2.—Of the savings of Rs.360.81 lakhs, the amount surrendered was only Rs.57,083.

NOTE 5.—Excesses mentioned under the various sub heads remained uncovered inspite of available savings in the grant.

22.1 The Departmental witness stated that wherever possible appropriation has been done. He added that the bulk of the excesses was due to stock adjustment which depends upon the progress of work. At the time of preparing the budget, it could not be anticipated but that position was not explained to the Accountant General. He also reveals that this relates to the Border Road Organisation. They said that they might be spending so much money on the basis of which the budget provision is made but in actual execution there might be shortfall or excesses over which they have no control. He also stated that they do not control the expenditure and that they have informed the Accountant General about the purpose of the expenditure incurred by the Defence Department which is provided in the State budget under Grant-in-aid head. About the progress of work and the extent of amount spent, the Departmental witness stated that though it was supposed to be secret he would make correspondence with the Border Road Organisation.

22.2 The Committee observed that the Committee was interested to know in what way the money budgetted by the Department and voted by the House had been utilised by the Department.

RECOMMENDATION

22.3. The Committee therefore recommends that the Department should take up the matter with the proper authority including Defence Department so that the money spent from the State budget and voted by the Legislature are properly accounted for and the required informations are made available to the Committee within three months from the date of submission of this Report before the House.

Grant No. 56 at page 113 of the Appropriation Accounts, 1969-70.

23.1 The total expenditure exceeded the total provision by Rs.74,89,722. The Departmental witness stated that the excess was mainly due to clearing up of pay bills, T. A. Bills etc., before the creation of Meghalaya under instructions from Finance Department. This could not be regularised due to short time available for them.

23.2. The Committee observed that the excesses committed by the Department is Rs.74,89,722 and this is not the only occasion where the expenditure was committed in excess but which has also become a chronic disease of the Department. The Department also did not take much care to have the amounts voted through Supplementary Demand.

RECOMMENDATION

23.3 The Committee therefore recommends that in view of the extraordinary circumstances under which the excess had to be committed, it should now be regularised and that the Department should be very careful in future in the matter of committing excess expenditure and further that it should always strictly adhere to the Departmental Rules and Procedure in this regard so that the Department may have a very clear picture of their Budget provisions as well as the expenditure incurred.

Grant No. 81 at page 143 of the Appropriation Accounts. 1969-70.

24.1 The Grant closed with a saving of Rs.59 29,948. Substantial savings under the grant occurred for the 9th year in succession Of the savings Rs.63,08,578 was surrendered in March, 1970 even though the available saving was not to that extent.

24.2 The Departmental witness stated that the Departmental accounts are compiled on the basis of the available reports from the different divisions which are 45 to 50 in number. Certain accounts are not received apparently in time and hence this discrepancy.

24.3 The Committee observed that the Department have not been able to account for the excess surrender which clearly shows that the Department has exercised no watch or control over their own expenditure nor are they in a position to keep proper accounts for the expenditure as per provision in the Budget Manual.

RECOMMENDATION

24.4. The Committee therefore recommends that the Department should maintain proper and strict supervision over the accounts so that excess expenditure or excess surrender over the budget provision is not repeated in future.

PART II

SUMMARY OF
 RECOMMENDATIONS, REMARKS, OBSERVATIONS, MADE BY
 THE COMMITTEE ON THE REPORT OF THE COMPTROLLER
 AND AUDITOR GENERAL OF INDIA FOR THE YEAR
 1969-70, APPROPRIATION ACCOUNTS, 1969-70 AND
 FINANCE ACCOUNTS, 1969-70

Sl. No.	Reference	Recommendation
(1)	(2)	(3)

MUNICIPAL ADMINISTRATION DEPARTMENT

1 Para 141 at pages 154-155 The Committee is surprised to note that the Department is not well posted with the present position of the utilisation of the money sanctioned by the Department. Some of them are lying outstanding since 1961.

The Committee therefore recommends that effective steps should be taken to ensure submission of all outstanding utilisation certificates to Audit. The Department should maintain proper record to check up the position of utilisation of grants by different organisations to which loans and grants had been sanctioned. The action taken by the Department should be intimated to the Committee within one month from the date of presentation of this Report to the House.

2 Para 140 at page 153 The Committee recommends that the Department should make assessment about the financial position of all Municipalities and Town Committees of the State so as to strengthen their paying capacity. The final position with regard to this matter may be reported to the Committee within three months from the date of presentation of this Report to the House.

3 Grant No. 87 at page 159-160 The Committee recommends that the Department should assess the need of the Department more accurately well-ahead of the close of the Financial year in future.

Sl. No.	Reference	Recommendation
(1)	(2)	(3)

REGISTRATION DEPARTMENT

- 4 Paragraphs 137-138 at page 150-153 The Committee recommends that as the assessment of income-tax and valuation of properties are made on the basis of registered documents steps should be taken to make the registration up-to-date in all the Districts of the State so that Government may not lose its income due to under assess-ment.

The Department should move the Finance Department, if necessary for reorganisation of the staff position to cope with the increased volume of work and the question of suitable amendments of service rules be taken up early.

- 5 Grant No. 7 at page 20 The Committee recommends regularisation of the excess expenditure.

PUBLIC WORKS (R & B) DEPARTMENT.

- 6 Paragraph 57 read with Appendix IV and V at Pages 74 and 168-169 The Committee therefore recommends that there should be a proper probe into the whole affair and responsibility fixed on the persons concerned within three months from the date of presentation of this Report before the House and that actions taken be communicated to the Committee accordingly.

- 7 Paragraph 58 at pages 74-75 The Committee recommends that there should be a thorough probe into the whole affairs and responsibility should be fixed on the person/persons concerned within 3 months from the date of presentation of the Report before the House.

- 8 Paragraph 59 at page 75 The Committee, therefore, recommends that there should be a thorough enquiry covering all the points observed by the Committee and responsibility fixed within six months from the date of presentation of this Report to the House and action taken communicated to the Committee accordingly.

- 9 Paragraph 60 at page 77 The Committee regrets to note that an additional expenditure of Rs.40.300.00 had to be incurred in construction of Jail buildings at Barpeta due to lack of timely supervision of Home (Jail) Department and also due to failure

Sl. No.	Reference	Recommendation
(1)	(2)	(3)
10 Paragraph 61 at page 77	of P.W. (R&B) Department to construct the building according to the norm of a Jail. The Committee therefore recommends that Departments should take every precaution to avoid such expenditure in future.	The Committee therefore recommends for fixation of responsibility on the part of Executive Engineer (Mechanical) Gauhati for making contradictory statements and for signing documents mechanically without scrutinising the same.
		The Committee also recommends for fixation of responsibility on the part of the person who was responsible for the delay in placing orders for supply of the machineries in the month of March, 1967 in the name of urgency and making payment without receiving the machineries in terms of the agreement and for flouting the financial rules after seating over the budget provision as passed by the Legislature during the whole year.
		The Committee further recommends that unilateral revision of the agreements should be avoided by the Department in future.
11 Paragraph 62 at page 77		The Committee therefore recommends that the Department should not that in future the Department should be prompt and active in dealing with such cases where the question of the fund of the state exchequer is involved
12 Paragraph 63 at page 77		The Committee therefore recommends that there should be a further probe into the whole affair with particular reference to rule 329 of the P.W.D. code and findings communicated to the Committee within three months from the date of presentation of the Report to the House.
13 Paragraph 54 at page 78		The Committee therefore recommends that action taken by the Department against the officers for falsification of Government record and also for flouting the recommendation of the Public Accounts Committee should be intimated to the Committee within three months from the date of presentation of the Report to the House.

Sl. No.	Reference	Recommendation
(1)	(2)	(3)
14 Paragraph 65 at pages 78-79	<p>The Committee therefore recommends that the enquiry over the anomaly in construction of the bridge over Desang river should be completed immediately and submit its report to the Committee within three months from the date of presentation of the Report to the House.</p>	
	<p>The Committee further recommends that the delay in the Department in approving the proposals submitted by the contractor should also be investigated and responsibility fixed within three months from the date of presentation of the Report before the House and action taken should be communicated to the Committee accordingly.</p>	
	<p>The Committee also expresses its serious concern about the delay in constituting the Enquiry Committee as suggested by the Public Accounts Committee in 1967 and recommends that the matter be enquired into and responsibility fixed on the person/persons concerned within three months from the date of presentation of the Report to the House and action taken to be communicated to the Committee accordingly.</p>	
15 Paragraph 66 at page 79	<p>The Committee therefore recommends that the Department should take up the matter with the Hon. High Court in consultation with the Legal Remembrancer so as to enable the hon. High Court to expedite the case.</p>	
16 Paragraph 67 at page 79	<p>The Committee recommends that as the terms are technical. Accountant General will further examine this matter in consultation with the Department and the Department should issue necessary instruction to the Field Officers accordingly for guidance in future.</p>	
17 Paragraph 68 at page 79	<p>The Committee therefore recommends that the Department should note that in order to avoid such kind of controversy, the reply to the audit objection should be furnished forthwith and any lapse on the part of the Department in this regard will be severely dealt-with in future.</p>	

Sl. No.	Reference	Recommendation
(1)	(2)	(3)
18 Paragraph 69 at page 80	The Committee therefore recommends that the Department should take up the matter in the line of the observations made above and the actions taken communicated to the Committee in due course.	
19 Paragraph 70 at page 80	The Committee therefore recommends as follows :—	
	(1) About realisation of the hire charges from the B.S.F., the Committee wants that the matter should be taken up with the Chief Secretary and the result communicated to the Committee within one month from the date of presentation of the Report to the House.	
	(2) About disposal of the 58 boats, the Committee feels that the matter should be decided finally and for such decision, the Chief Secretary, Financial Commissioner, Secretary, Public Works (R & B) Department, Secretary, Revenue and Secretary, B.F.C. should meet, discuss and finalise the issue once for all within one month from the date of presentation of this report before the House and the action taken communicated to the Committee accordingly.	
20 Paragraph 100 (v) at pages 93 94	The Committee therefore recommends that the Department should in future, avoid such practice and the Department should obtain a full report on such cases before they come to appear before the Committee and that they should not depend entirely on their subordinate officers. As the Departmental witness said that the boulders would be utilised in other works immediately, the Committee does not like to comment anything more. However, the Department should furnish detailed information about the utilisation of the boulders within three months from the date of presentation of this report to the House. The Deptt. is further asked to get a clear explanation from the officer concerned about the background of the case.	

Sl. No	Reference	Recommendation
(1)	(2)	(3)
21	Paragraphs 137-138 at pages 150-152	The Committee recommends that the Department should finalise the objection with the Accountant General immediately.
22	Note 2 and 5 under Grant No. 55 at page 105 of the Appropriation Accounts 1969-70	The Committee therefore recommends that the Department should take up the matter with the proper authority including Defence Department so that the money spent from the State budget and voted by the Legislature are properly accounted for and the required informations are made available to the Committee within three months from the date of submission of this Report before the House.
23	Grant No. 56 at page 113 of the Appropriation Accounts 1969-70	The Committee therefore recommends that in view of the extraordinary circumstances under which the excess had to be committed, it should now be regularised and that the Department should be very careful in future in the matter of committing excess expenditure and further that it should always strictly adhere to the Departmental Rules and Procedure in this regard so that the Department may have a very clear picture of their Budget provisions as well as the expenditure incurred.
24	Grant No. 81 at page 143 of the Appropriation Accounts 1969-70	The Committee therefore recommends that the Department should maintain proper and strict supervision over the accounts so that excess expenditure or excess surrender over the budget provision is not repeated in future.

APPENDL. —I

(Reference Para 4 at page ii)

List of Officers who were examined by the Public Accounts Committee.

Serial No.	Designation of Officers	Date of examinations
(1)	(2)	(3)
1	Secretary to the Government of Assam, Public Works (R & B) Department.	21st August, 1972 22nd August, 1972 23rd August, 1972 9th October, 1972
2	Secretary to the Government of Assam, Registration Department.	22nd October, 1973
3	Secretary to the Government of Assam, Municipal Administration Department	28th December, 1973.

APPENDIX—I (*conid*)

Time devoted to each day's meeting.

Date	Time of meeting	Total time
(1)	(2)	(3)
21st August, 1972	1100 hrs. to 1300 hrs.	2 hours
	1500 hrs. to 1630 hrs.	1 hour 30 min.
22nd August, 1972	1100 hrs. to 1225 hrs.	1 hour 25 min.
	1400 hrs. to 1630 hrs.	2 hours 30 min.
23rd August, 1972	1000 hrs to 1100 hrs.	1 hour
9th October, 1972	1000 hrs. to 1300 hrs	3 hours.
	1435 hrs. to 1645 hrs.	2 hours 10 min.
22nd October, 1973	1045 hrs. to 1200 hrs.	1 hour 15 min.
28th December, 1973	1100 hrs. to 1230 hrs.	1 hour 30 min.
		<hr/> 16 hours 20 min.

APPENDIX—II.

(vide paragraphs 137-138 of the Report at page 3)

A short note on Registration Department.

The Director of Land Records and Surveys, Assam is also the Inspector General of Registration of the State and Superintendent of Stamps, Commissioner of Wakfs and Registrar General of Births, Deaths and Marriages.

The Inspector General of Registration runs the Department through the District Officers who are called the District Registrars (*Ex-officio*). They are either the Deputy Commissioneres themselves or the Additional Deputy Commissioner who in their turn manage their works through a net-work of officers called Deputy Registrars, Registration Sub-Registrars and Joint Sub-Registrars.

The Registration Department mainly administer the following Acts and Rules—

1. The Indian Registration Act, 1908 and Rules, Statutory Orders, Instructions and Orders, etc. thereunder.
2. The Assam Moslim Marriages and Divorces Registration Act, 1935 and Rules and Regulations thereunder.
3. The Kazis Act, 1880 and Rules thereunder.
4. The Indian Christian Marriage Act, 1872 and Statutory Rules and Statutory Orders and Executive Order thereunder.
5. Act, III 1872 (An Act to provide a form of marriage in certain cases) and Statutory Orders and Instructions thereunder.
6. The Births, Deaths and Marriages Registration Act, 1886 and Rules and Executive Orders thereunder.
7. The Hindu Marriage Act, 1955.
8. The Hindu Marriage (Assam) Rules 1959.
9. The Special Marriage Act, 1954.
10. The Special Marriage (Assam) Rules, 1957.

There are 9 District Registrars and 3 Deputy Registrars (with head-quarter at Gauhati, Nowgong and Silchar).

The Deputy Registrars are entrusted with the functions of inspecting the Sub-Registry Offices and also helping the District Registrar in various administrative matters. There are 34 whole-time Sub-Registrars and 16 Commission Basis Sub-Registrars in the State. The Commission Basis Sub-Registrar are not regular Government servants.

In the proposed Service Rules for Assam Registration Service, provision has been made to fill up atleast 50 per cent of the vacancies in a year in the cadre of departmental Sub-Registrars from amongst the existing Commission Basis Sub-Registrars who are graduates having not less than 5 years of continuous service not more than 35 years age. The draft service rule is being finalised soon.

Registering Officers are also the Registrars under the Special Marriage Act, 1954. Besides these, there are 37 Moslim Marriage Registrars in the State to administer the provisions contained in the Assam Divorces Registration Act, 1935 and the Rules thereunder.

In the Registration Department Extra Writers are engaged like copyists attached to courts on piece rate system and they are not treated as regular Government servants. They are appointed to clear up copying and comparing of documents when presentation of documents becomes unusually heavy and the regular hands are unable to copy with the work. There are 256 Extra-Writers under the Registration Department.